

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Crl.Rev.Pet.No. 781 of 2007()

CRA.410/2003 of ADDL.SESIONS COURT (ADHOC)III, TRIVANDRUM
CC.87/2002 of JUDL. MAGISTRATE OF FIRST CLASS-IV (MOBILE),
TRIVANDRUM
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REVN. PETITIONER:

M. RAMAKRISHNA PILLAI, S/O. MAHADEVAN PILLAI,
MANAGING PARTNER, GANESH STORES,
CHALAI, THIRUVANANTHAPURAM.

BY ADV. SRI.M.RAMASWAMY PILLAI
SRI.PRAMOD J.DEV

RESPONDENTS:

1. RAMACHANDRAN,
PROPRIETOR, RAHUL TRADING COMPANY,
CHALAI, THIRUVANANTHAPURAM.
2. STATE OF KERALA REPRESENTED BY DIRECTOR OF PROSECUTION
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R. UDAYABHANU, J
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CRL. R.P. NO. 781 OF 2007

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Dated this the 21st day of February 2007

ORDER

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to imprisonment till rising of the court and to pay a compensation of Rs.3,50,000/- and in default to undergo simple imprisonment for three months.

2. Considering the evidence adduced in the matter, I find that there is no ground to interfere. No objective evidence has been adduced to rebut the statutory presumptions. Nothing has been brought out in the cross examination also in this regard. In the circumstances and considering the plea of the counsel for the revision petitioner, the revision petitioner is granted six months time to make the payment. The conviction and sentence is affirmed. The revision petitioner shall appear before the Judicial First Class Magistrate-IV (Mobile), Thiruvananthapuram on **24.08.2007** to receive sentence. NBW if pending shall be kept in abeyance.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

